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TTAB

08-14-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22)X TTAB – NO FEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Trademark Application of
Viatris GMBH & Co. KG

Serial No.: 76/403,587

Filed: May 5, 2002

Trademark: ADEXIA

FIFTH REQUEST UNDER RULE 2.102 TO EXTEND TIME FOR FILING NOTICE OF OPPOSITION

Commissioner for Trademarks
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Sir:

In the matter of the above-identified application which was published in the Official Gazette of February 18, 2003, on page TM 193, Mallinckrodt Inc. respectfully requests that the time for filing a Notice of Opposition to the above application be further extended for a period of thirty (30) days up to and including September 16, 2003. The further extension request is needed in order to permit possible settlement discussions with the other party. This further extension is being requested with the consent of Scott D. Woldow, attorney for the Applicant.

Respectfully submitted,

Dated: August 14, 2003

Jeffrey S. Boone, J.D.
Assistant Secretary/Attorney for Potential Opposer
Mallinckrodt Inc.
675 McDonnell Boulevard
P.O. Box 5840
St. Louis, MO 63134

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing FIFTH REQUEST TO EXTEND TIME FOR FILING NOTICE OF OPPOSITION to be served by first class mail, postage pre-paid, on Scott D. Woldow, Esq., of Smith, Gambrell & Russell, L.L.P., 1850 M Street, N.W., Suite 800, Washington, D.C. 20036

Dated: August 14, 2003

Jeffrey S. Boone, J.D.
Assistant Secretary/Attorney for Potential Opposer
Mallinckrodt Inc.
675 McDonnell Boulevard
P.O. Box 5840
St. Louis, MO 63134